

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF GEORGIA**  
**SAVANNAH DIVISION**

MICHAEL P. HUNTER,

Plaintiff,

**V.**

Case No. CV413-035

JUDGE LOUISA ABBOTT,

Defendant.

## ORDER

In this inmate civil rights case the Court granted plaintiff Michael P. Hunter *in forma pauperis* (IFP) status, doc. 3, conditioned on his written consent to pay from his inmate account “an initial partial filing fee equal to 20 percent of the greater of (a) the average monthly *deposits* to my account, or (b) the average monthly *balance* in my account.” Doc. 4 at 1 (emphasis added). Hunter circled option (b), then signed his name to the Consent Form. *Id.* He then furnished a statement of his prison account and one can see why he limited his consent to option (b): the average monthly balance has been only \$103.66, while the average monthly *deposits* (option (a)) has been \$622.00. Doc. 5.

Hence, Hunter does not want the Court to exact 20% of the higher (\$622) number. Since he does *not* consent, the Court **VACATES** its conditional IFP grant and directs Hunter either (1) to pay the full \$350 filing fee, or (2) submit a new Consent Form that does not contain any limitation on the calculation of his initial partial filing fee. His failure to do so within 21 days will result in the dismissal of his case.

**SO ORDERED** this 11<sup>th</sup> day of April, 2013.

  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA